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### LEAD STORIES

#### WTO: INFORMAL CONSULTATIONS ON SINGAPORE ISSUES ONGOING

Informal consultations on the Singapore issues -- investment, competition, transparency in government procurement and trade facilitation -- continue to play out at the Heads of Delegation (HOD) level at the WTO. According to delegates, General Council (GC) Chair Carlos Perez del Castillo has been meeting with delegations in smaller groups, holding a 'Green Room'-style meeting on 12 November with 36 delegations. Little substance has yet emerged from these consultations, though Chair Perez del Castillo has proposed new formulas for progressing the talks. Sources indicate that Members are waiting for the EC to spell out its position on the Singapore issues, and that in the end, the fate of these issues will correlate with what can be achieved on agriculture, the real sticking point of the negotiations.

GC Chair proposes formula for talks on Singapore issues

During recent informal small-group meetings, GC Chair Perez del Castillo proposed formulas for talks on the Singapore issues. One way forward would be to base talks on a so-called "2 plus 2" formula, where two Singapore issues -- trade facilitation and transparency in government procurement -- would be negotiated, and the other two, investment and competition policy, would be sent to working groups for further clarification. Another proposed formula was the "2 plus 1 plus 1" formula, under which two issues would be negotiated multilaterally, one plurilaterally, and the remaining issue sent for clarification to a working group.

Speaking on these proposed formulas, one African trade delegate strongly opposed the idea of plurilateral agreements. He said he was willing to contemplate multilateral talks on trade facilitation and transparency in government procurement, as long as the issue of modalities, or the framework for negotiations, was dealt with and clarified in the negotiations. He felt that the so called "Derbez text" (the second revision of the Draft Cancun Ministerial text produced by Ministerial Chair Luis Ernesto Derbez on 13 September in Cancun) had

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failed to include developing country concerns related to the Singapore issues in its annexes. The delegate added that in a final analysis, progress in agriculture would be key to any possible agreement on the Singapore issues post-Cancun.

Many Caribbean countries, together with Malaysia and the Philippines, continue to resist moving ahead in any way with any of the four Singapore Issues. While India is still mostly in this camp, it has indicated it could show some flexibility.

### **Members waiting for signals from the EC**

At the 12 November session, EC delegate Carlo Trojan reportedly did not reveal the EC's position on the Singapore Issues. Trade officials say the EC continues to push the options of plurilateral or 'opt-in opt-out' arrangements, which are strongly resisted by most other Members. According to sources, Members are waiting for a fresh EC negotiating mandate, expected to emerge at an informal EU Trade Ministers' meeting in Brussels on 2 December (see related story, this issue). Other key decisions are also expected at the meeting, such as the endorsement or rejection of the "Derbez text" as the basis for further work (JOB (03)/150/Rev.2, available at [http://www.ictsd.org/ministerial/cancun/docs/draft\\_cancun\\_minist\\_text\\_re\\_v2.pdf](http://www.ictsd.org/ministerial/cancun/docs/draft_cancun_minist_text_re_v2.pdf)). The EC, along with Japan and Korea, has been the key demandeur for the Singapore issues, although it agreed to drop investment and competition off the agenda in a last-minute move in Cancun. Following Cancun, the EC has sent mixed signals regarding its stance on the Singapore issues.

### **Cotton falling off the agenda?**

The talks on the Singapore issues form part of a process set out by Chair Perez del Castillo on 14 October and endorsed by the GC on 21 October, where Members indicated some willingness to engage on the Doha round in Geneva. The process involves a focus on four key areas: agriculture, industrial market access, cotton and the Singapore issues (see BRIDGES Weekly, 15 October 2003, <http://www.ictsd.org/weekly/03-10-15/story1.htm>). While Members have met informally and in green rooms to discuss agriculture and industrial market access, the initiative to end cotton subsidies -- which was put forth by four West African countries and attracted significant attention in Cancun -- is getting less consideration. According to the sponsors of the initiative, cotton subsidies in rich countries have led to the halving of cotton prices since the mid-1990s, with devastating effects on African countries and their poverty alleviation efforts (see BRIDGES Weekly, 7 May 2003, <http://www.ictsd.org/weekly/03-05-07/inbrief.htm>).

According to an African trade source, delegates with an interest in the issue fear it is losing momentum. Reportedly, the Chair of the talks has suggested that the cotton issue be split into two: trade aspects of the problem would be dealt with in the WTO, most likely in the Committee on Agriculture, while development aspects would be dealt with by international financial institutions such as the World Bank and the IMF. Informal talks in Geneva have not led to much progress so far, with the US sticking to its initial position, which included efforts to help African cotton producers diversify their economies. African countries have reportedly given up the idea of obtaining compensation for the losses they have incurred due to cotton subsidies in rich countries, while still standing firm in their demand for the phase-out of cotton subsidies.

On the way forward, GC Chair Perez del Castillo is expected to call an informal Heads of Delegation meeting on 18 November to brief Members on the current status of talks and to initiate a second round of more intensive talks on the four topics of focus. Delegates will have to find a way forward by a 15 December senior officials-level session of the General Council, which is to take "necessary action" for Members to be able to conclude the round.

ICTSD reporting.

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## **EU POSITION ON SINGAPORE ISSUES EXPECTED IN DECEMBER; NGOS TARGET EC DECISION-MAKING**

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The EU 133 Committee (an EU decision-making body for trade, in which members states are represented) met on 7 November to consider an EC report on negotiating strategies for the so-called Singapore issues of investment, competition, transparency in government procurement and trade facilitation. According to trade sources, the meeting was "inconclusive," and a final decision on the Singapore issues would revert to EU trade ministers, due to meet informally on 2 December.

The EC remains in 'reflection mode', taking a passive stance in the relaunch of WTO talks, and EU member states are engaged in internal discussions (see BRIDGES Weekly, 30 October 2003, <http://www.ictsd.org/weekly/03-10-30/story3.htm>). On the Singapore issues, member state opinions diverge, reportedly ranging from those of the Netherlands -- which advocates that the EU should continue to insist on negotiating all issues -- to the UK, which argues that Brussels should give up talks on investment and competition policy, in line with its last-minute concessions at Cancun.

## **No Member should 'pay' for systemic rule-making on Singapore issues**

The EC report, dated 30 October and entitled "Singapore Issues - Options post-Cancun," sets out approaches to negotiating the Singapore issues, seeking to dispel the notion of the EU as the 'demandeur' for including the issues within the single undertaking, and thus an entity that should 'pay'. According to the report, the Singapore issues are systemic rule-making issues that neither the EU nor any other Member should 'pay' for by concessions in other areas such as agriculture.

The report highlights three areas of objections to the Singapore issues: the reluctance of some developing countries to enter into binding international commitments that could restrict their "policy space"; the apparent absence of negotiating capacity of some countries; and the reluctance of some developed countries to tie their hands to a multilateral -- rather than a bilateral or unilateral -- approach to investment and competition.

## **'Little,' if any, value-added for rules outside the WTO framework**

While acknowledging the possibility of negotiating multilateral or plurilateral agreements on the Singapore issues outside the WTO framework was on the table, the report highlights the WTO framework as the preferred option. The Commission's view is that any alternative to negotiating binding rules within the WTO "...would represent little, if at all any, value added".

Alexandra Wandel, trade and sustainability programme co-ordinator at Friends of the Earth Europe, criticised this position. She stressed that governments already had agreed, at the 2002 World Summit for Sustainable Development in Johannesburg, to further develop a binding corporate accountability legal framework within the UN system. Therefore, in her opinion, the Singapore issues could -- and should -- be addressed outside the WTO.

## **'Optional Participation' and ITA Model**

Concluding that it would be more sensible for WTO Members to take decisions on each Singapore issue on the basis of its merits, the report forwards two basic options. The first, 'optional participation', would involve all WTO Members from the start during the actual negotiations. However, Members could decide at a later point whether or not to actually sign on to the agreement. This later point would be determined at the outset and would logically be at or near the end of the negotiations. This approach would, the report adds, allow Members to participate and try to influence the

result in one direction or the other. The second option, following the Information Technology Agreement (ITA) Model, would see a limited participation from the outset, with the possibility of other Members joining along the way. This option could, according to the report, increase the possibility of maintaining the preferred level of ambition and a high level of pro- development approaches.

The report sees little prospect for investment and competition policy to be negotiated within the single undertaking. On government procurement, the merit of a plurilateral agreement in ensuring transparency in procurement activities would depend on several new joining. Arguing that it would be "logical" to aim for a fully multilateral agreement in government procurement, the report concedes that this "logic is not shared by all". The report considers trade facilitation the most favourable for negotiation within a single undertaking.

## **Civil society critical of Commission's report**

Meanwhile, over 100 civil society organisations comprising major environmental, development, human rights and farmer's organisations from across Europe issued a letter to the Commission and EU member states on Friday, 7 November, insisting that the Singapore issues must be dropped once and for all from the EU's WTO agenda. The criticism of the EC report comes in the wake of a WWF report entitled, "A League of Gentlemen: Who really runs EU Trade Decision Making?," criticising the secrecy surrounding the shaping of the EU's trade policy. According to the report, the domination of policy-making by a small but influential group of trade specialists could result in a narrowly focussed debate, ignoring broader issues such as sustainable development.

According to WWF Trade Policy Advisor Tom Crompton, "European trade policy has huge implications for people and the environment both at home and abroad. It is high time that a bright light was shone into the murky world in which these decisions are taken".

To access the EC report, see <http://www.ictsd.org/ministerial/cancun/docs/EC-Sing-Issues-Post-Cancun.pdf>.

To access the WWF report, see [http://www.panda.org/about\\_wwf/what\\_we\\_do/policy/trade\\_and\\_investment/news.cfm?uNewsID=9621](http://www.panda.org/about_wwf/what_we_do/policy/trade_and_investment/news.cfm?uNewsID=9621).

ICTSD reporting; "Leaked Commission Document Reveals New EU Strategy after Cancun: 100 NGOs Demand Drop WTO Expansion Agenda Once and For All!", FRIENDS OF THE EARTH EUROPE, 7 Nov 2003; "EU Shifts Stance On Deadlocked Trade Talks",

FINANCIAL TIMES, 6 Nov 2003; 100 NGOs Demand EU Drop Trade Expansion Agenda, ENVIRONMENT NEWS SERVICE, 7 November 2003; " 'EU Trade Officials: Less secrecy, more accountability', says WWF", WWF PRESS RELEASE, 6 November 2003; "EU Members Weigh Options to Advance Singapore Issues After Failure in Cancun", WTO REPORTER, 7 November 2003; " EC 'keeps Britain in dark' ", THE GUARDIAN, 10 Nov 2003.

## OTHER NEWS

### DSB: EC-US DISPUTES TOP AGENDA

Two major WTO disputes between the US and the EC have recently moved to a level where the EC is threatening to impose retaliatory measures: the US - Definitive Safeguard Measures on Imports of Certain Steel Products and the US - Tax Treatment for Foreign Sales Corporations. Meanwhile, the EC - Beef Hormones case looks set to continue, since the US and Canada remained unconvinced that new EC scientific evidence justified an EU import ban on hormone-treated beef.

The WTO Appellate Body, in a 10 November report, upheld a July 2003 panel conclusion that had found US steel tariffs inconsistent with the General Agreement on Tariffs and Trade (GATT 1994) and the WTO Safeguards Agreement (see BRIDGES Weekly, 17 July 2003, <http://www.ictsd.org/weekly/03-07-17/story5.htm>). The US had imposed tariffs of up to 30 percent in March 2002 in order to re-energise its ailing steel industry, and Brazil, China, the EC, Japan, Korea, New Zealand, Norway and Switzerland had filed disputes over the measures.

Under the WTO ruling, the EC would have the right to impose tariffs worth USD 2.2 billion, and has threatened to do so by mid-December. However, Adolfo Urso, Italy's Industry Ministry undersecretary in charge of foreign trade, urged US President Bush to discontinue the support to the steel industry. According to Urso, "we want to ward off a commercial war that, in terms of its size, would be unprecedented". Japan, China and South Korea have also announced that they are considering sanctions. The steel tariffs are also under debate domestically in the US, as certain industry sectors, such as the car industry, have suffered from the increased steel prices. To view the Appellate Body report, see [http://www.wto.org/english/news\\_e/news\\_e.htm](http://www.wto.org/english/news_e/news_e.htm).

### EU prepared to retaliate over American ETI/FSC

The EC announced on 5 November that it is set to impose a gradually phased-in scheme of retaliatory tariffs unless the US repeals the Extraterritorial Income Exclusion Act (ETI -- formerly the Foreign Sales Corporations Act, FSC), granting disputed tax-breaks to US exporters. The scheme, to begin in March 2004, would start with a five percent tariff imposed on US imports worth USD 4 billion and then be raised by one percent every month until reaching 17 percent in March 2005.

US Trade Representative Robert Zoellick warned that the levying of USD 4 billion in sanctions would be akin to releasing a "nuclear bomb" on trade relations. Pascal Lamy, European Trade Commissioner, noted that the gradual and measured approach would "leave the door open for US actions" before the March deadline of tariff commencement, and the countermeasures would be spread out over a long time period. According to one trade source "in the context of EU-US trade-relations, economically and politically, gradual retaliation seems the only way to go". In order to add pressure, however, the EC has drawn up a list of strategic products mainly from states crucial to US President Bush's re-election campaign next year.

The EC move followed a 7 May authorisation by the WTO Dispute Settlement Body (DSB) decision granting the EC retaliatory power (see BRIDGES Weekly, 14 May 2003, <http://www.ictsd.org/weekly/03-05-14/wtoinbrief.htm>). On 14 January 2002, the WTO's Appellate Body had upheld a 2001 compliance panel ruling which stated that the ETI/FSC scheme violated WTO rules as an illegal export subsidy under both the subsidies and agriculture agreements (see BRIDGES Weekly, 16 January 2002 accessible at <http://www.ictsd.org/weekly/02-01-16/wtoinbrief.htm#2>). The ETI/FSC is a scheme that allows American companies to exclude 15 percent of their net income from the export of goods made in the US from federal income tax. This benefits thousands of US firms, especially major corporations such as Microsoft, who were able to operate through subsidiaries in other countries.

### EC beef hormone dispute drags on

At a DSB meeting on 7 November, the US and Canada rejected an EC appeal to end WTO-endorsed trade sanctions amounting to over USD 116.8 million and CAD 11.3 million, respectively, after the EC presented new scientific proof to justify an EC ban on beef containing hormones. On 22 September the European Parliament had adopted an amendment, based on new scientific evidence, to the existing Council Directive prohibiting the use in stockfarming of certain



substances with hormonal or thyrostatic effects -- testosterone, progesterone, trenbolone acetate, zeranol and melengestrol acetate. The directive further banned the use of oestradiol in growth promotion of farm animals because "recent evidence suggests that it has to be considered as a complete carcinogen," and limited its use to treatment. The prohibition of the other five hormones for growth promotion would be provisional, as the "current state of knowledge does not make it possible to give a quantitative estimate of the risk to consumers".

At the DSB meeting, Canada said there was nothing new in the scientific evidence presented by the EC. US Ambassador Linnet Deily added that "the Directive... neither removes the European Communities' unjustified ban on US beef nor presents an appropriate risk assessment as a basis for the ban... The United States, however, cannot understand how this new Directive... could amount to implementation of the DSB recommendation". According to the US Food and Drug Administration, the level of hormones used in US beef production was too low to have any effect on humans. The US also stated that oestradiol was produced naturally in humans and would be safe in beef when used as approved and that synthetic compounds in other hormones had received "extensive toxicological testing in animals to determine safe levels for human food". Ninety-five percent of US beef is produced using growth- promoting hormones.

In 1999, a DSB panel had ruled that the US and Canada could impose higher tariffs on certain EU products based on the fact that EC had not provided sufficient scientific evidence to back the banning of US and Canadian beef containing growth promoting hormones. In response, the EU Scientific Committee on Veterinary Measures relating to Public Health (SCVMPH) carried out a risk assessment in 1999 and reviews in 2000 and 2002. The EC claimed that these reports, with the revised Directive, would render EC actions justified and the WTO complaint null. The negative reaction from the US and Canada at the meeting, however, prompted the EC to say it would take "necessary appropriate action," in requesting the original dispute panel to review the new scientific findings for a new ruling.

The next meeting of the DSB is scheduled for 1 December this year.

"EU Bares Teeth In Trade Row Over US Steel Tariffs," DOW JONES, 12 November 2003; "Foreign Sales Corporations: Commission prepares for the imposition of countermeasures on US products," EUROPEAN COMMISSION, 5 November 2003; "US must drop sanctions in beef hormone row-EU", REUTERS, 15 October 2003; "EC- measures concerning meat and

meat products (hormones)", WTO COMMUNICATION FROM THE EC, 27 October 2003; "EU complies with WTO ruling on hormone beef and calls on USA and Canada to lift trade sanctions," EU PRESS RELEASE, 15 October 2003; "EU bans beef with growth hormones," THE BOSTON GLOBE, 16 October 2003; "EU mulls "appropriate action" as US, Canada reject claims in hormone row," AFP, 7 November 2003; "EU threatens tariffs on US exports," CALTRADE REPORT, 1-15 November 2003.

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## **TBT COMMITTEE CONCLUDES TRIENNIAL REVIEW**

The WTO Committee on Technical Barriers to Trade (TBT) at its 7 November meeting concluded the third Triennial Review of the operation and implementation of the TBT Agreement. The Review of the TBT Agreement, which takes place every three years, focuses on issues related to good regulatory practice, conformity assessment procedures, transparency and technical assistance. Members also discussed various TBT-related concerns, including the EU's proposed regulation on wine labelling.

### **Technical Assistance**

The Review (G/TBT/13, searchable at <http://docsonline.wto.org>) highlights technical assistance (TA) as an "area of priority work". It identifies a range of factors that can impede developing countries' ability to comply with the TBT Agreement, including the lack of awareness of the Agreement, lack of capacity (particularly in terms of human resources), and lack of legislation and technical infrastructure. TA, the Review concludes, should be tailored to a particular country's needs. It stresses the importance of coordination and coherence among national authorities, as well as with donors. The Review also notes that the selection and preparation of participants for TA activities is critical, together with: the strengthening of institutions; the use of internal measures to complement TA; assessment and following-up of TA activities; and awareness-raising about the use and benefit of the TBT Agreement. The Review acknowledges the constraints faced by the TBT Committee and the WTO Secretariat in building infrastructure and institutions, which could be addressed by governments and other relevant regional and international organisations.

### **Transparency**

Regarding transparency, the Review urges Members to fulfil their transparency obligations, in particular those related to the notification of draft technical regulations and conformity assessment procedures. It notes a number of trade concerns related to the lack of

transparency that have been brought to the attention of the TBT Committee, including procedural problems, such as failures to notify, short comment periods and inadequate handling of comments. The Review reminds Members of their obligation to publish information on the introduction of a particular technical regulation or conformity assessment procedure "at an early appropriate stage". It recommends developed country Members to provide more than the required 60 days for comments, in order to improve developing countries' ability to comment and to be "consistent with the principle of special and differential treatment". Similar transparency-related concerns have also repeatedly been raised in the Committee on Sanitary and Phytosanitary Measures, including a Mexican proposal for a pre-notification process (see BRIDGES Weekly, 5 November 2003, <http://www.ictsd.org/weekly/03-11-07/story2.htm>).

### Conformity Assessment

The Review establishes a work programme for 'conformity assessment', including a workshop on the different approaches to conformity assessment and on the acceptance of assessment results. Conformity assessment is defined by the International Organisation for Standardisation (ISO) as an "activity that provides demonstration that specified requirements relating to a product, process, system, person or body are fulfilled". It covers such activities as calibration, testing, inspection and certification, as well as the accreditation of conformity assessment bodies. The Triennial Review notes that the use of relevant international standards, guides, or recommendations can provide transparency to the 'suppliers declaration of conformity' (SdoC) process (i.e. a procedure by which a supplier provides assurance of conformity to the specified requirements), and can support its value and usability. In particular, exporters in developing country Members can improve market access when importing Members accept their SdoC.

### European wine regulation again under criticism

A number of Members, including New Zealand, Australia, Argentina, the US, Chile and South Africa, again raised concerns over the EU's proposed legislation governing the description, designation, presentation and protection of certain wine sector products (see BRIDGES Weekly, 3 July 2003, <http://www.ictsd.org/weekly/02-07-03/story4.htm>). The regulation sets out the information that must be presented on labels, restricts the use of certain bottle types and introduces a system to protect "traditional terms" used to describe a wine. The countries requested the EC to postpone the implementation of the regulation, currently scheduled for February 2004. The EC responded that it had already introduced

changes to the regulations in response to Members' comments, including criticism that the regulation was discriminatory and overly trade restrictive, but that it might make further changes to take into account additional comments.

For further details on the EC regulation, see [http://europa.eu.int/eur-lex/pri/en/oj/dat/2002/l\\_118/l\\_11820020504en00010054.pdf](http://europa.eu.int/eur-lex/pri/en/oj/dat/2002/l_118/l_11820020504en00010054.pdf).

ICTSD reporting.

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## FTAA MINI-MINISTERIAL DISCUSSES SCOPE OF AGREEMENT

Ministers from 14 countries met on 8-9 November near Washington, D.C., to prepare for the eighth Free Trade Area of the Americas (FTAA) Ministerial meeting in Miami, Florida. Following the meeting, the Argentinean and Brazilian Ministers of Foreign Affairs, Rafael Bielsa and Celso Amorim, described the meeting as "positive and realistic", and said it helped provide "a contribution of ideas for the coming agenda" for the trade negotiations. A senior US trade official said however that negotiators still faced major challenges in making the upcoming FTAA summit -- to be held from 20-21 November in Miami -- a success. Although he noted that the discussions had provided useful insight into country positions, he did not report any areas where differences between the US and Brazil had narrowed. The US and Brazil disagree, inter alia, on the scope of the FTAA, particularly over whether it should include negotiations on agricultural liberalisation.

At the meeting, Brazil proposed a compromise whereby member countries would have the option of opting out of sections of the FTAA they found objectionable. Amorim added, however, that Brazil would oppose any reduction of benefits, such as market access, as a penalty for not participating in these "plurilateral" pacts. This compromise, according to Amorim, provided "a good basis for a successful meeting in Miami" and was an attempt to resolve the difference of opinion between Brazil and the US as to the scope and nature of the FTAA agreement.

On this compromise deal, a US official commented that "What we're trying to get now is as comprehensive an agreement as possible. So I think it's premature to get into that kind of speculation".

Officials from Argentina, Brazil, Canada, Colombia, Chile, El Salvador, Jamaica, Mexico, Panama, Peru, the Dominican Republic, Trinidad and Tobago, the US and Uruguay attended the FTAA mini-ministerial.

## The future of the FTAA

The FTAA Miami summit will mark the midpoint in the final phase of the FTAA negotiations. In these talks, 34 countries of the Americas (excluding Cuba) aim to agree on a free trade area extending from Alaska to Tierra del Fuego by January 2005.

According to some observers, negotiators are concerned that the 2005 deadline might not be met. In the US, upcoming presidential and congressional elections in 2004 may constrain negotiators, making them less willing to compromise -- especially in the sensitive farming sector. The draft agreement still contains around 5000 unresolved issues. According to Eduardo Gamarra, director of the Latin American and Caribbean Center at Florida International University in Miami, the deadline could be met, but "without the full participation of all 34 countries". He described the agreement as "anorexic" and "light". Robert Zoellick, US Trade Representative, has already mentioned that the US might produce NAFTA-like accords with countries that cooperate, giving them preferential access to the US market. He has indicated that the US is prepared to leave Brazil and other so-called "won't-do" countries out if they block regional or global agreements.

The US, the world's largest economy and Brazil, the largest economy in South America, co-chair the FTAA meetings. They remain divided in their views on key issues (see BRIDGES Weekly, 8 October 2003, <http://www.ictsd.org/weekly/03-10-08/story4.htm>). When debating the nature and scope of the agreements, Brazil has insisted that tariff reductions, improved market access and reduced farm subsidies should be the crux of negotiations. The US, on the other hand, believes that negotiations on agricultural subsidies and antidumping rules should be left to WTO talks.

Though not yet included, ministers will consider integrating labour and environmental protection rules in the agreement during future negotiations. These topics have proven controversial in the Central American Free Trade Agreement (CAFTA, see BRIDGES Weekly, 5 November 2003, <http://www.ictsd.org/weekly/03-11-07/story3.htm>), and are likely to pose a challenge in the FTAA context as well.

The FTAA Miami summit will take place from 20-21 November 2003.

"No US breakthroughs with Brazil reported in trade talks," DOW JONES NEWSWIRES, 8 November 2003; "A more flexible FTAA," MERCOPRESS, 10 November 2003; "Americas free-trade zone could be 'anorexic' at first," CHANNELNEWSASIA.COM, 12 November 2003;

"US, Brazil set joint ideas for trade pact," YAHOO NEWS, 9 November 2003; "US and Brazil bend on free-trade agreement," THE CHINA POST, 10 November 2003; "Brazil calls on US to move forward 'gradually' toward FTAA," AFP, 8 November 2003; "Standoff between US and Brazil jeopardises goal of hemisphere-wide free trade area," AP, 7 November 2003.

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## IN BRIEF

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### EU POSTPONES DECISION ON RESTARTING BIOTECH APPROVALS

During a 10 November meeting, the European Standing Committee on The Food Chain and Animal Health deferred a decision on whether to approve a strain of genetically modified maize -- Syngenta's Bt-11 -- for food use in the EU. A positive decision would have marked the end of the de facto moratorium on the approval of new genetically modified organisms, in place since 1998 and currently challenged in the WTO (see BRIDGES Trade BioRes, 25 August 2003, <http://www.ictsd.org/biores/03-08-25/story2.htm>). The vote is now expected to take place the next Committee meeting on 12 December. EU member states remain divided over the approval, with the UK, Spain and the Netherlands in favour while France, Austria and Italy are less enthusiastic. Even if the maize was approved, imports would not start until April 2004 when new EU labelling and traceability regulations come into effect. Friends of the Earth Europe hailed the delay as a "victory for common sense" while Greenpeace called on countries to not approve the maize variety.

For more biotech news, see the 14 November issue of BRIDGES Trade BioRes at <http://www.ictsd.org/biores/index.htm>.

"EU postpones biotech test case vote to December," REUTERS, 11 November 2003.

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### MEXICO-US BORDER AIR POLLUTION RESPONSIBLE FOR HIGHER CHILD DEATH RATES

According to a report released on 10 November by the Commission for Environmental Cooperation of North America (CEC), children from poorer areas of Ciudad Juárez, Chihuahua are being hospitalised and dying because of air pollution at levels that are below Mexico's current health standards. "Children were being

rushed to the hospital on days when no air quality alarms were sounding," said Dr. Matiana Ramírez Aguilar, a co-investigator in the study from the National Institute of Public Health in Mexico City. "This suggests that lower levels of ozone affect children's respiratory health and that action should be taken to revise Mexico's standards," she said at a press conference. Ciudad Juárez, which lies at the border between the US and Mexico, has seen a dramatic increase in both vehicle traffic and industrial 'maquiladora' activity since the coming into force of the North American Free Trade Agreement (NAFTA) in 1994. The CEC study found that child mortality was linked to diesel truck emissions of tiny particles 10 micrometers or less in diameter (PM10). In 2001, more than one million trucks crossed the border between Ciudad Juárez and El Paso, Texas. According to Paul Miller, CEC Program Coordinator for air quality, "these results are not unique to Ciudad Juárez. Similar or even higher air pollution levels exist at other crossings along the Mexico-US and Canada-US borders". He said solutions would have to come from "cooperative efforts among federal, state, local and industry officials".

The CEC was established by the three NAFTA parties -- Canada, Mexico and the US -- to address regional environmental concerns, help prevent potential trade and environmental conflicts, and to promote the effective enforcement of environmental law.

The full report, "Health Impacts of Air Pollution on Morbidity and Mortality Among Children of Ciudad Juárez, Chihuahua, Mexico," is available at: [http://www.cec.org/pubs\\_docs/documents/index.cfm?varlan=english&ID=1347](http://www.cec.org/pubs_docs/documents/index.cfm?varlan=english&ID=1347)

"Poor Children on Mexico-U.S. Border Dying from Air Pollution," ENS, 11 November 2003.

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### **NEW GUIDE FOR DEVELOPING COUNTRIES EXPORTING ORGANIC PRODUCTS**

The UN Conference on Trade and Development (UNCTAD) has released a new publication to help developing countries capture some of the growing export market in organic agriculture. The publication, *Organic Fruit and Vegetables from the Tropics: Market, Certification and Production Information for Producers and International Trading Companies*, offers recommendations on how developing countries can implement food quality and safety programmes, increase consumer confidence and conform with the regulations of importing countries. It also contains information on market potential and access conditions in Europe, North America and Japan. Currently, only a

few developing countries have fully employed the organic production methods necessary to meet the high sanitary and technical requirements of importing countries. As a result, producers in Europe and the US supply most of the export market, worth USD 20 billion in 2000 and expected to grow between 10 and 30 percent in the next 10 years. There is growing recognition that certain regulations in developed countries can be overly burdensome for developing country organic producers, and effectively prevent them from competing in the organic export market. A recent study of the Swedish National Board of Trade contains recommendations for how EU market access could be facilitated for developing country organic producers.

To access the UNCTAD report, visit <http://www.unctad.org/Templates/webflyer.asp?docid=3500&intItemID=1397&lang=1>.

To view the report of the Swedish National Board of Trade, see [http://www.kommers.se/binaries/attachments/1691\\_Handel\\_med\\_ekologiskt\\_odlade\\_varor.pdf](http://www.kommers.se/binaries/attachments/1691_Handel_med_ekologiskt_odlade_varor.pdf).

ICTSD reporting; "Marketing organic tropical produce", UNCTAD Press release, 31 October 2003.

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### **CASPIAN RANGE STATES FINALLY ADOPT CASPIAN SEA CONVENTION**

Ministers from the five Caspian littoral states -- Azerbaijan, Iran, Kazakhstan, the Russian Federation and Turkmenistan -- met on 4 November for a ceremony at the Iranian capital, Tehran, to sign the Framework Convention for the Protection of the Marine Environment of the Caspian Sea. While four of the countries signed the treaty designed to protect the fragile environment of the Caspian Sea, Turkmenistan refused to sign the Convention, arguing that it needed more time to consider its terms. However, on 8 November Turkmeni Environment Minister Matkarim Radzhapov returned to the Iranian capital and added his name to the treaty. The Framework Convention aims to reverse ecological and environmental damage in the Caspian Sea area caused by industrial pollution, sewage and leaks from oil refineries. The sea also suffers from uncontrolled fishing of the caviar-producing sturgeon, the over-exploitation of marine resources, and the destruction of the region's biological diversity. The adoption of the Framework Convention has been the objective of a five-year process under the Caspian Environment Programme (CEP) implemented by UNDP, UNEP and the World Bank. The initiative has also been linked to a process under the Convention on International Trade in Endangered Species (CITES) on the protection of Caspian sturgeon, the stocks of which have declined by 90 percent since the late 1970s (see



BRIDGES Weekly, 19 June 2001, <http://www.ictsd.org/html/weekly/19-06-01/story6.htm>).

Until recently, the five littoral states were at odds over the legal status of the Caspian Sea, as this question has significant implications for each country's share of the enormous oil reserves of the Caspian. The Convention is the first treaty adopted by the five new, young countries, inexperienced in international political dialogue. The accord now goes to member governments for ratification, a process that could take several more years.

"Turkmenistan signs Caspian Sea Environmental treaty," UN WIRE, 11 November 2003; "Turkmenistan backs away from landmark Caspian agreement," IRIN, 5 November 2003; "Turkmenistan walks away from Caspian Sea treaty," UN WIRE, 5 November 2003; "Caspian states sign deal to protect caviar sea," REUTERS, 4 November 2003.

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### **COMPROMISE REACHED ON MONITORING SYSTEM FOR CONFLICT DIAMONDS**

A compromise was reached on 30 October between all participants in the UN- backed Kimberley Process for a voluntary monitoring system to prove countries' compliance with Process rules. The Kimberley Process is an international initiative launched in 2000 aimed at breaking the link between legitimate trade in diamonds and conflict diamonds (rough diamonds used to finance conflicts). The Kimberley Process requires each diamond-trading or producing country to issue a certificate of origin for every diamond to ensure it does not come from a conflict area. Representatives from 55 countries, the diamond industry and NGO's agreed to a monitoring system that uses 'review visits' to countries that volunteer to show their compliance with Kimberley Process rules. The monitoring system was agreed on as a compromise between demands by countries such as South Africa and numerous NGO's -- who were calling for a regular independent monitoring system -- and countries like Australia, China, India and Japan, who opposed mandatory reviews. The Republic of Congo and the Democratic Republic of Congo, two countries allegedly steeped in the diamond trade, have already volunteered to be reviewed by the end of the year. Several NGO's, including Fatal Transactions, Amnesty International and ActionAid, harshly criticised the voluntary monitoring plan stating that it lacked independent and regular scrutiny.

The WTO Council for Trade in Goods approved a waiver from WTO rules for countries implementing the Kimberley Process earlier this year (see BRIDGES

Weekly, 27 February 2003, <http://www.ictsd.org/weekly/03-02-27/story3.htm>).

ICTSD reporting; "Countries Adopt Monitoring Process For Conflict Diamonds," UNWIRE, 31 October.

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## **WTO IN BRIEF**

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### **HARBINSON QUILTS AS WTO AG NEGOTIATIONS CHAIR**

Stuart Harbinson announced on 6 November that he intends to give up the chairmanship of the special (negotiating) session of the WTO Committee on Agriculture (CoA). Harbinson, formerly the permanent representative of Hong Kong, China to the WTO, was chosen by WTO Members in February 2002 to chair the CoA special session. As former Chair of the WTO General Council, Harbinson was considered the mastermind behind the successful facilitation of a draft outlining a new agriculture negotiating mandate, adopted by Members in 2001 at Doha. Harbinson subsequently assumed the post of WTO Director-General Supachai Panitchpakdi's chief of staff in September 2002. Explaining his -- not fully unexpected -- decision, he stated that as Members were now entering a new phase in the agriculture negotiations, "I think a new chairperson may be better able to bring the fresh perspective which we now need". Looking back at his 18-month term as agriculture chair he made clear that he had "no regrets" but that it was "now time for someone else to take up the banner." In announcing his decision, Harbinson said however that he recognised the need for continuity, and that he would remain in his post until a successor was selected. According to trade sources, there have been no discussions yet on Harbinson's successor, let alone on serious candidates for taking on his job. Sources further indicated that there is an understanding among Members that with Harbinson giving up his post, all current chairs should in principle be replaced. However, some key Members would like to preserve the option to keep some of the chairs, or even rotating some of the chair positions, sources reported.

ICTSD reporting; "Agriculture: Harbinson resigns as Chairman of WTO agriculture negotiations," WTO REPORTER, 7 November 2003.

## EVENTS & RESOURCES

### EVENTS

For a more comprehensive list of events in trade and sustainable development, please refer to ICTSD's web calendar at: <http://www.ictsd.org/cal/index.htm>. If you would like to submit an event, please email [events@ictsd.ch](mailto:events@ictsd.ch).

#### Coming Up: 13 - 19 November

10-14 November, Cavite City, Philippines: SOUTHEAST ASIAN CONFERENCE ON SUSTAINABLE FISHERIES MANAGEMENT AND TRADE. Oxfam International in cooperation with the Tambuyog Development Center/Philippines is organising a Southeast Asian Conference on Sustainable Fisheries Management and Trade for national fishers' federations, NGO partners and Oxfam staff with the main objective of educating partners on the inter-relationship of sustainable fisheries management, subsidies and trade. For further information contact Ephraim Patrick T. Batungbacal, e-mail: [sonny@tambuyog.org](mailto:sonny@tambuyog.org).

12-13 November, New Delhi, India: EASING THE TRANSITION TO MORE OPEN GLOBAL MARKETS. This seminar is co-organised by the International Food & Agricultural Trade Policy Council (IPC) and the Indian National Institute of Agriculture. The IPC develops policy recommendations addressing the critical issues facing the world's agricultural system, and conveys these recommendations directly to policy-makers and stakeholders around the world. For further information contact the IPC, tel: +1 202 328 5117; fax: +1 202 328 5133; Internet: <http://www.agritrade.org>.

12-14 November, Halle-Wittenberg, Germany: BUSINESS AND EMISSIONS TRADING WORKSHOP. This small international workshop, organised by the Martin-Luther-University will focus on the economic lessons learned with regard to emissions trading, from a business perspective. For more information, and to view the call for papers, visit: [http://www.wiwi.uni-halle.de/loi/bwl/umwelt/index.php?folder\\_default\\_netfolderID=11006](http://www.wiwi.uni-halle.de/loi/bwl/umwelt/index.php?folder_default_netfolderID=11006).

13 November, Edinburgh, UK: CONFERENCE ON PRECAUTION AND PROGRESS: LESSONS FROM THE UK GM CROPS DIALOGUE. Co-sponsored by the Scottish Executive and the Agriculture and Environment Biotechnology Commission, this conference will consider the components of the recent UK dialogue on GM crops and how these might be integrated into the policy decision-making process. For more information

contact ESRC Centre for Social and Economic Research on Innovation in Genomics: tel: +44-131-650-9113; e-mail: [innogen@ed.ac.uk](mailto:innogen@ed.ac.uk); Internet: <http://www.innogen.ac.uk/events.php?page=2>.

17 November, Geneva, Switzerland: PREPARATORY COMMITTEE FOR UNCTAD XI. This meeting will be held from 17-21 November 2003 at the Palais des Nations. In the morning of 17th November, civil society will be invited to report on a civil society meeting convened by the UNCTAD Secretariat in October 2003. UNCTAD XI will be held from 13-18 June 2003 in Sao Paulo, Brazil and is seen as an opportunity for tackling the most pressing developmental challenges confronting developing countries. For questions, including future meetings and accreditation to the Conference, please contact Amel Haffouz, email: [amel.haffouz@unctad.org](mailto:amel.haffouz@unctad.org); Internet: <http://www.unctad.org>.

17-18 November, Johannesburg, South Africa: GLOBAL FORUM ON INTERNATIONAL INVESTMENT: ENCOURAGING MODERN GOVERNANCE AND TRANSPARENCY FOR INVESTMENT - WHY AND HOW. This conference will be the third annual meeting of the OECD Global Forum on International Investment, a forum for policy dialogue among OECD members, non-members and other stakeholders. The meeting will consider how modern, transparent governance can help countries to attract and benefit from foreign investment. For more information contact: Kaveri Bopiah Liverani; tel: +33-1-45-259-369; fax: +33-1-44-306-135; e-mail: [kaveri.bopiah-liverani@oecd.org](mailto:kaveri.bopiah-liverani@oecd.org); Internet: <http://www.oecd.org/dataoecd/1/6/4409911.pdf>.

17-20 November, Wilton Park, West Sussex, UK: CLIMATE CHANGE: WHAT NEEDS TO BE DONE IN NORTH AND SOUTH? Organised by the Norwegian Ministry for Foreign Affairs and LEAD International. This conference will discuss the next step in the Kyoto process, mitigation targets needed for the coming commitment period, whether the US and major greenhouse gas emitters among transition and developing nations can be drawn in, what role there is for alternative energy and nuclear power, and what external actors and national governments can do to help entire societies soften the impacts through adaptation strategies. Speakers include Sir John Houghton; Michael Meacher, former UK Minister for the Environment; officials and Members Parliament from Europe and developing countries. For further information contact: David Grace, e-mail: [davidgrace@insideeurope.fsnet.co.uk](mailto:davidgrace@insideeurope.fsnet.co.uk); tel: +international 44 146 067368; Internet: <http://www.wiltonpark.org.uk/web/conferences/wrapper.asp?confref=WP730>.

17-19 November, Miami, US: AMERICAS TRADE AND SUSTAINABLE DEVELOPMENT FORUM (ATSDF). Preceding the FTAA Ministerial, the ATSDF will convene workshops, panels and roundtables to discuss social, economic, political and practical concerns relating to trade liberalisation in the Americas. For further information visit: <http://www.miami.edu/nsc/pages/FTAA.html>.

17-21 November, Rome, Italy: FAO/WHO EXPERT CONSULTATION ON GENETICALLY MODIFIED ANIMALS, INCLUDING FISH. This event is organised by FAO and WHO. Its purpose is to review and analyse data on the current situation of GM animals, in particular fish, and the foods derived from them. For further information contact Ezzeddine Boutrif, FAO; tel: +39-6-5705- 6156; fax: +39-6-5705-4593; e-mail: [ezzeddine.boutrif@fao.org](mailto:ezzeddine.boutrif@fao.org); Internet: [http://www.who.int/foodsafety/biotech/meetings/ec\\_nov\\_2003/en/](http://www.who.int/foodsafety/biotech/meetings/ec_nov_2003/en/).

17-21 November, Geneva, Switzerland: PIC INC-10: This will be the 10th session of the Intergovernmental Negotiating Committee for an International Legally Binding Instrument for the Application of the Prior Informed Consent (PIC) Procedure for Certain Hazardous Chemicals and Pesticides in International Trade. For further information, contact: Interim Secretariat for the Rotterdam Convention, tel: (41 22) 917-8183, fax: 797-3460, email: [pic@unep.ch](mailto:pic@unep.ch), Internet: <http://www.pic.int>

18-19 November, Washington DC, US: CONFERENCE ON EMISSIONS STRATEGIES IN THE NORTH AMERICAN CARBON MARKET. The latest in the Oil & Gas IQ conference series, this event will offer strategies to help companies based in the US and Canada maximise the benefit from their emissions reductions. For further information visit: <http://www.oilandgasiq.com>.

19 November, Johannesburg, South Africa: WORKSHOP ON SUSTAINABLE DEVELOPMENT, ENVIRONMENTAL RESPONSIBILITY AND THE OECD GUIDELINES FOR MULTINATIONAL ENTERPRISES. This workshop will be held to take stock of progress in promoting corporate responsibility through private sector initiatives and inter-governmental approaches such as the OECD Guidelines for Multinational Enterprises. The focus will be on companies' environmental performance. For further information contact: Kaveri Bopiah Liverani; tel: +33-1-45-259-369; fax: +33-1-44-306-135; e-mail: [kaveri.bopiah-liverani@oecd.org](mailto:kaveri.bopiah-liverani@oecd.org); Internet: <http://www1.oecd.org/media/upcoming.htm>

19-20 November, Brussels, Belgium: LABOUR STANDARDS & HUMAN RIGHTS CONFERENCE.

This two-day conference organized by Ethical Corporation will look in detail at the latest labour, Codes of Conduct and human rights policies that multi-national companies are devising, implementing and currently using in their global operations. Issues to be covered include: Internal EU policies and emerging issues; external supply chain risks; practical tips on working with suppliers, unions and NGOs; and human rights policy development and usage. For further information visit: <http://www.ethicalcorp.com/labour2003>.

## WTO Events

An updated list of forthcoming WTO meetings is posted at: [http://www.wto.org/english/news\\_e/meets.pdf](http://www.wto.org/english/news_e/meets.pdf). Please bear in mind that dates and times of WTO meetings are often changed, and that the WTO does not always announce the important informal meetings of the different bodies. Unless otherwise indicated, all WTO meetings are held at the WTO, Centre William Rappard, rue de Lausanne 154, 1211 Geneva, Switzerland, and are open to WTO Members and accredited observers only.

13 November, Geneva, Switzerland: WTO COMMITTEE ON BALANCE-OF-PAYMENTS.

13-14 November, Geneva, Switzerland: WTO DISPUTE SETTLEMENT BODY - SPECIAL SESSION.

14 November, Geneva, Switzerland: WTO SEMINAR - REGIONAL TRADE AGREEMENTS.

14 November, Geneva, Switzerland: WTO TRADE POLICY REVIEW BODY - THAILAND.

14 November, Geneva, Switzerland: WTO GENEVA WEEK - CLOSING SESSION.

17 November, Geneva, Switzerland: WTO COMMITTEE ON RULES OF ORIGIN.

17 November, Geneva, Switzerland: WTO Symposium - "INTELLECTUAL PROPERTY AND TRANSFER OF TECHNOLOGY".

17 November, Geneva, Switzerland: WTO COMMITTEE ON BUDGET, FINANCE AND ADMINISTRATION.

18-20 November, Geneva, Switzerland: WTO COUNCIL FOR TRADE-RELATED ASPECTS OF INTELLECTUAL PROPERTY RIGHTS.

## Other Forthcoming Events

26-27 November, Amsterdam, the Netherlands: ELECTRONICS RECYCLING SUMMIT. This senior

executive Pan-European event will focus on delivering practical information for implementing the WEEE and RoHS directives and providing a competitive advantage through the collection, disassembly and recycling of electronics. For further information contact E.N.G. European Networking Group at tel +31 (0)20 305 0950; email: [recycling@eng-nl.com](mailto:recycling@eng-nl.com); Internet: <http://www.eng-nl.com>.

27-29 November, Brussels, Belgium: GLOBAL PROGRESSIVE FORUM. The Global Progressive Forum will bring together more than 500 policy makers, leaders and representatives of non-governmental organisations, trades unions, businesses and academia from around the world for a three-day gathering in the European Parliament in Brussels, to launch a global reform process. As a new consensus-building initiative, this Forum is open to all, upon registration. The Forum will consist of two plenary sessions and eighteen round tables on global issues, such as trade and poverty and reform of the UN, with more than 130 speakers. For further details of the Global Progressive Forum and how to attend, visit <http://www.pes.org/globalprogressiveforum> or send a message to [globalprogressiveforum@pes.org](mailto:globalprogressiveforum@pes.org).

1-2 December, Amsterdam, the Netherlands: MAXIMISING THE POTENTIAL OF SUSTAINABLE DEVELOPMENT. This event will focus on the theme of Establishing Sustainable Development within your organisation and gaining future opportunity through Public- Private Partnerships. The summit will examine how different industries succeed in incorporating sustainable development throughout the value chain and effectively engaging in public- private partnerships to achieve their sustainable development goals. For further information contact E.N.G. European Networking Group at tel +31 (0)20 305 0950; email: [sustainability@eng-nl.com](mailto:sustainability@eng-nl.com); Internet: <http://www.eng-nl.com>.

1-4 December, Berlin, Germany: MEETING ON THE SUSTAINABLE USE AND CONSERVATION OF BIOLOGICAL DIVERSITY: A CHALLENGE FOR SOCIETY. This meeting is organised by the German Federal Ministry of Education and Research. For more information contact the Ministry at tel: +49-228-81- 99-611; fax: +49-228-81-99-640; e-mail: [meltem.cosar@dir.de](mailto:meltem.cosar@dir.de); Internet: <http://www.biodiversity-symposium.de>.

8-10 December, Geneva, Switzerland: WORLD FORUM ON INFORMATION SOCIETY. The focus of this conference, entitled Digital Divide, Global Development & Information Society, is on critical issues and considerations in the context of information technological revolution, global transformation, and marginalisation. Inter and intra regional disparities will

be examined in terms of information infrastructure and dissemination, knowledge generation and management. For more information contact: World Forum Secretariat; tel: +763-689-2963; e-mail: [wfis@irfd.org](mailto:wfis@irfd.org); Internet: <http://www.irfd.org/events/wf2003/intro2.html>.

28-30 January 2004, Geneva, Switzerland: SEMINARS ON INVESTMENT AND COMPETITION. CUTS Centre for Competition, Investment and Economic Regulation (C-CIER), Jaipur, India will organise a luncheon Panel Discussion on Civil Society Perceptions of FDI as part of the Final Meeting of the 'Investment for Development' (IFD) project on 28 January; a conference of the INCSOC entitled 'Engaging Civil Society in Promoting a Healthy Competition Culture' on 29 January; and an international seminar as part of the final meeting of the IFD project entitled 'FDI Policies and Regulation - How to Foster Economic Development?' on 30 January. For further information contact IFD, email: [ifd@cuts.org](mailto:ifd@cuts.org) or [incsoc@incsoc.net](mailto:incsoc@incsoc.net).

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## RESOURCES

A LEAGUE OF GENTLEMEN: WHO REALLY RUNS EU TRADE DECISION MAKING? By Elizabeth Drury (WWF, November 6 2003). The report, which focusses on EC trade policy-making, raises concerns about the dangers in allowing a "small group of influential trade specialists to dominate policy making". The author points out that such an approach could result in a narrowly focussed debate that ignores broader issues, such as the call to put sustainable development at the heart of trade policy. The full report is available at: [http://www.panda.org/news\\_facts/newsroom/other\\_news/news.cfm?uNewsID=9621](http://www.panda.org/news_facts/newsroom/other_news/news.cfm?uNewsID=9621)

BRIDGING INFORMATION GAPS BETWEEN FARMERS, POLICYMAKERS, RESEARCHERS AND DEVELOPMENT AGENTS. By Gesa Wesseler and Willemine Brinkman (Technical Centre for Agricultural and Rural Cooperation, 2003). The authors point out that information is a prerequisite for development, both in agriculture and more broadly. Information gaps are direct impediments to development and need to be overcome. On the other hand, it is not just any kind of information that is required. Information overload is quickly becoming a problem not only for policy-makers and researchers in the North, but to anyone with access to the Internet. To be useful, information has to be relevant, reliable, timely, and delivered via an appropriate medium. The full report is available at: <http://www.cta.int/pubs/wd8030/informationgaps-final.pdf>.

DOMESTIC IMPORT REGULATIONS FOR GENETICALLY MODIFIED ORGANISMS AND THEIR



**COMPATIBILITY WITH WTO RULES.** by Heike Baumuller (Trade Knowledge Network, 2003). This paper surveys the regulatory regimes in selected countries for imports of genetically modified agricultural products. It also addresses some questions related to the regimes' compatibility with WTO rules, including the trade-restrictiveness of mandatory traceability and labelling requirements, whether GMO regulations covering substantially equivalent GM products might be trade-discriminatory, the role of precaution as a justification for an import ban on GMOs, and how the Cartagena Protocol on Biosafety might impact on a possible dispute at the WTO. The full report is available at:

<http://www.tradeknowledgenetwork.net/publication.aspx?id=587>.

**ENERGY LAW AND SUSTAINABLE DEVELOPMENT.** Edited by Adrian Bradbrook and Richard Ottinger (IUCN, 2003). This publication contains 11 chapters written by leading experts in their fields. The relationship of development and energy is described by Professor Jose Goldemberg of Brazil, while the relationship between energy and biodiversity is considered by Jeff McNeely of the IUCN. Sustainable development in the petroleum sector is covered by Professor Jacqueline Lang Weaver of Houston Law School. Renewable energy and energy efficiency are described by Dean Emeritus Richard Ottinger and Fred Zalzman of the Pace University School of Law, with wind promotion highlighted with a Denmark case study by Dr. Rikke Munk Hansen, from the UN Economic and Social Commission for Asia and the Pacific (UNESCAP). For further information see <http://www.iucn.org/themes/law/pdfdocuments/Energy-Law/ENERGY-PUB-prelims.pdf>.

**THE WTO PROMOTES TRADE, STRONGLY BUT UNEVENLY.** By Arvind Subramanian and Shang-Jin Wei (International Monetary Fund Working Paper, September 2003). This working paper furnishes evidence that the GATT/WTO has had a powerful and positive impact on trade. The impact has, however, been uneven. GATT/WTO membership for industrial countries has been associated with a large increase in imports estimated at about 40 percent of world trade. The same has not been true for developing country members, although those that joined after the Uruguay Round have benefited from increased imports. Similarly, there have been asymmetric effects among sectors, with WTO membership associated with substantially greater imports in sectors where barriers are low. These results are consistent with the history and design of the institution, which presided over significant trade liberalization by the industrial countries except in sectors such as food and clothing; largely exempted developing countries from the obligations to liberalise under the principle of special and differential

treatment; but attempted to redress the latter by imposing greater obligations on developing country members that joined after the Uruguay Round. The working paper is available at <http://www.imf.org/external/pubs/cat/longres.cfm?sk=16822.0>.

**LOST IN TRANSIT - GLOBAL CFC SMUGGLING TRENDS AND THE NEED FOR FASTER PHASE OUT.** By Ezra Clark (Environmental Investigation Agency, 2003). This report reveals the global nature of the illegal trade in CFCs and the role that transit countries play by facilitating the diversion of CFCs onto the black market. Singapore and other significant transit points in the illegal CFC trade such as Dubai have strong economies founded on their role as major trade hubs, however they do not have sufficient control to monitor the movement of CFCs through their ports. The full report is available at [http://www.eia-international.org/campaigns3\\_reports.shtml](http://www.eia-international.org/campaigns3_reports.shtml).

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## POSITION VACANCY

**CALL OF THE EARTH LLAMADO DE LA TIERRA**, an International Indigenous Peoples' Initiative on Intellectual Property Policy, is looking for a full time Coordinator. Reporting to the Steering Committee of Call of the Earth Llamado de la Tierra, the incumbent will provide strategic leadership, and will be responsible for the management and implementation of the Initiative's activities. The ideal candidate will have significant experience in management and fundraising. They will have demonstrated commitment to addressing the challenges faced by Indigenous Peoples' and significant knowledge of legal and policy issues relevant to Indigenous Peoples in international policy and law. Indigenous candidates are encouraged to apply. Only short-listed candidates will be contacted. Application deadline: 30th November 2003. Applications to be submitted to: Ms Catherine Monagle, Call of the Earth, United Nations University Institute of Advanced Studies, 53-67, Jingumae 5-chome, Shibuya-ku, Tokyo 150-8304, Japan; tel. +81 3 5467 2323; fax. +81 3 5467 2324; e-mail. [monagle@ias.unu.edu](mailto:monagle@ias.unu.edu).

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[http://www.newsbulletin.org/bulletins/WhichBulletin.cfm?Bulletin\\_ID=14&SID=](http://www.newsbulletin.org/bulletins/WhichBulletin.cfm?Bulletin_ID=14&SID=)

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